

EXHIBIT 4

Sansevero Declaration

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA and)	
THE COMMONWEALTH OF)	
MASSACHUSETTS)	
Plaintiffs,)	
)	Civil No. 1:20-cv-11026-LTS
v.)	
)	
SPRAGUE RESOURCES LP;)	
SPRAGUE OPERATING RESOURCES, LLC)	
)	
Defendants.)	

DECLARATION OF CHRISTINE SANSEVERO

1. I, Christine Sansevero, pursuant to 28 U.S.C. § 1746, declare as follows:
2. I am an Environmental Engineer in the Enforcement and Compliance Assurance Division of the United States Environmental Protection Agency (EPA), Region 1. I am on temporary assignment as the Acting Associate Director of the Air Enforcement Division in EPA Headquarters. When not on temporary assignment, I am the Senior Enforcement Coordinator for the Air Compliance Section, Enforcement and Compliance Assurance Division, EPA Region 1, and have held that position or its equivalent since May 2005. Prior to that, I worked as an Environmental Engineer with the EPA Air and Radiation Division in Region 1 and in EPA Headquarters. In total, I have worked for EPA on Clean Air Act related issues for 25 years. As the Senior Enforcement Coordinator for the Air Compliance Section, I am an EPA credentialed inspector, and I am responsible for

coordinating and overseeing Region 1 inspections to evaluate compliance with the Clean Air Act.

3. My duties include, but are not limited to, the following:

Planning inspections of regulated stationary source facilities performed by Air Compliance Section inspectors, to determine compliance with Clean Air Act regulations, policies and guidelines;

Reviewing inspection reports, field documentation, and evidence management for compliance work assignments under the Clean Air Act;

Developing air enforcement cases with technical and legal staff, including evidence compilation, penalty calculation, preparation of enforcement related documents, technical assistance, and material for settlement meetings and discussions;

Serving as a primary technical resource for identifying violations of the Clean Air Act and air regulatory programs;

Serving as a Clean Air Act technical contact for internal staff and external parties;

Since 2008 I have served as the case development coordinator with respect to the petroleum storage and distribution facilities in Searsport and South Portland, Maine, Newington, New Hampshire, Everett and Quincy, Massachusetts, and Providence, Rhode Island, (the "Facilities"), now owned and operated by Sprague Resources LP, and formerly by Sprague Operating Resources, LLC. ("Sprague").

Complaint and Consent Decree

4. The Complaint filed in this matter on May 29, 2020, alleges violations of federally enforceable state implementation plan ("SIP") requirements for volatile organic compounds ("VOC") emissions at the Facilities. VOCs are regulated under the SIPs to address the Clean Air Act's ground-level ozone requirements.
5. Defendant Sprague's activities at the Facilities include the transfer of petroleum products, including heated No. 6 oil and asphalt, from barges or other ships, through pipes, to the Facilities' storage tanks. From these tanks, the petroleum products, including heated No. 6 oil and asphalt, are loaded into tanker trucks (by pumping the

products through pipes to a truck loading rack) or into marine vessels. No. 6 oil and asphalt are solid or semi-solid at ambient temperatures and must be kept heated, at approximately 130 and 300 degrees Fahrenheit, respectively, to stay in liquid form, with low enough viscosity to be pumped in and out of barges or other vessels, storage tanks, and tanker trucks. But heating the tanks increases VOC emissions to levels greater than they would be at ambient temperatures. Thus, these loading and unloading operations, as well as the heated storage of these petroleum products, all generate VOC emissions.

6. The Complaint alleges that the Facilities emit VOCs from heated tanks storing No. 6 oil and asphalt and are subject to certain SIP requirements for such sources of VOC emissions. Based on the requirements of the Consent Decree and the emission factors from emission testing conducted at Sprague's Searsport Facility in 2012 and 2013, the Facilities will be restricted to operating as minor sources of VOC (that is, to less than 50 tons per year of VOCs).
7. Under the Consent Decree, Sprague will operate no more than a specified number of heated storage tanks containing No. 6 oil and asphalt at its Facilities. Limiting the number of heated storage tanks that hold No. 6 oil and asphalt will limit the potential for VOC emissions from Sprague's Facilities.
8. The Consent Decree requires that Sprague must not exceed specified throughput limits on gallons of No. 6 oil and asphalt per rolling 12-month period for all Facilities, except for the New Bedford Facility, which is not currently used for storage of No. 6 oil or asphalt. Limiting the throughput of No. 6 oil and asphalt at these Facilities will reduce the potential for VOC emissions associated with those products.
9. Based on the emission factors from the testing at the Sprague Searsport Facility in 2012 and 2013, EPA calculates that compliance with the Consent Decree will result in

reductions of potential VOC emissions of at least 80 tons per year from all Sprague Facilities combined, or over 400 tons over the next five years.

10. EPA is satisfied that compliance with the provisions of the Consent Decree will resolve the violations alleged in the Complaint.
11. The Consent Decree requires that Sprague seek permits or permit amendments for each applicable Facility, including provisions no less stringent than those of the Consent Decree. These permitting requirements do not apply to the New Bedford or Providence Facilities for the reasons discussed in the following two paragraphs.
12. The New Bedford Facility has not been in use for No. 6 oil or asphalt storage during the period of EPA's investigation, and EPA alleges no violations there. The Consent Decree prohibits Sprague from restarting storage of No. 6 oil or asphalt at the New Bedford Facility unless it first seeks any required air permit from the Massachusetts Department of Environmental Protection.
13. Sprague will not be required by the Consent Decree to apply for a permit for VOC emissions from No. 6 oil or asphalt storage activity at the Providence Facility because, according to EPA's calculations, the Consent Decree conditions will limit emissions from such activities to below the Rhode Island SIP permit thresholds.
14. The Consent Decree lodged on May 29, 2020, inadvertently omitted from Appendix G the requirement for Sprague to apply for a license amendment for the South Portland Facility. That omission has been corrected in the Consent Decree filed with this Declaration, which includes a revised Appendix G that includes a requirement for Sprague to apply for a conforming license amendment.
15. The Complaint does not allege violations of hazardous air pollutant ("HAP") emission standards. EPA calculates that Sprague's Facilities have not operated as major sources of

HAPs, because the potential HAPs emissions for each Facility are calculated to have been below 9.9 tons per year. A major source of HAPs is one that emits or has the potential to emit 10 tons per year or more of any HAP, or 25 tons per year or more of any combination of HAPs. EPA calculates that the requirements of the Consent Decree will maintain HAP emissions from the Facilities below major source thresholds.

16. The Complaint does not allege any violations of odor requirements. However, parts of the settlement set forth in the Consent Decree do incorporate supplemental measures to address odors. Sprague will operate carbon beds and related equipment to reduce emissions of vapors and related odors from its No. 6 oil and asphalt heated storage tanks at the Quincy and South Portland Facilities. Sprague will install, operate, and maintain the carbon beds in accordance with the manufacturer's specifications.
17. The Consent Decree does not require actions to address potential odors from Sprague operations in Newington, New Hampshire. Although there have been odor complaints in the area, Sprague has represented to EPA that Sprague, the New Hampshire Department of Environmental Services, and the Town of Newington are working to determine the sources and causes of such odor complaints, and that Sprague has committed to take measures to address the impacts of odors caused by Sprague's operations, such as using odor control equipment already in place at the Newington Facility. Sprague has supported these representations with a sworn declaration by its Director of Health, Safety, Environment and Sustainability, filed together with my Declaration. *See Declaration of Jay Leduc.*
18. Attached at Exhibit A are copies of the Notices of Violation ("NOVs") that EPA issued to Defendants for violations of the Clean Air Act and applicable state SIPs, in connection with the loading, storage, and distribution of No. 6 oil and asphalt at Sprague's Facilities:

Exhibit A.1 is the NOV concerning the Everett, Massachusetts, Facility

Exhibit A.2 is the NOV concerning the Quincy, Massachusetts, Facility.

Exhibit A.3 is the NOV concerning both the Searsport and the South Portland, Maine, Facilities.

Exhibit A.4 is a supplemental NOV concerning the South Portland, Maine, Facility.

Exhibit A.5 is the NOV concerning the Newington, New Hampshire, Facility.

Exhibit A.6 is the NOV concerning the Providence, Rhode Island, Facility.

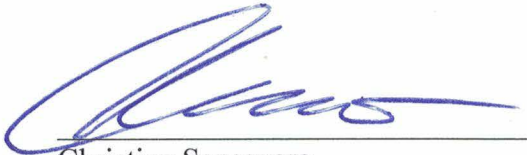
At or about the time that EPA sent these NOVs to Sprague, EPA sent copies of the NOVs to the appropriate state environmental agencies.

19. Following EPA's issuance of the NOVs to Sprague concerning the Searsport and South Portland Facilities, Sprague applied to the Maine Department of Environmental Protection ("ME DEP") on June 15, 2015, for emission license amendments addressing VOC emissions from its No. 6 oil and asphalt tanks. In its applications, Sprague relied on modelled VOC emissions estimates rather than the results from the emission testing conducted at Sprague's Searsport Facility in 2012 and 2013.
20. On July 15, 2015, the ME DEP issued amended air emission licenses to Sprague's Searsport and South Portland Facilities, accepting the use of Sprague's modelled emissions estimates, which were lower than the results of the actual emission testing at Sprague's tanks. EPA has determined that the results of the VOC emission tests at Sprague's heated petroleum storage tanks, based on codified EPA methods and site-specific test data, are more accurate and reliable than the modelled emissions estimates of the tanks' VOC emissions.

21. Based on information provided by Sprague, implementation of the injunctive relief measures under the Consent Decree will cost at least \$769,000.

I declare under penalty of perjury that the foregoing is true and correct. Executed on

January 6, 2021.

A handwritten signature in blue ink, appearing to read "Christine Sansevero", written over a horizontal line.

Christine Sansevero
Environmental Engineer
EPA Region 1